

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

**No. ICC-01/11-01/25
Date: 23 December 2025**

PRE-TRIAL CHAMBER I

Before: **Judge Iulia Antoanella Motoc, Presiding
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera**

SITUATION IN LIBYA

THE PROSECUTOR V. KHALED MOHAMED ALI EL HISHRI

Public

Order on the organisation of the legal representation of victims

Order to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

☒ The Office of the Prosecutor

☒ Counsel for the Defence

☐ Legal Representatives of the Victims

☐ Legal Representatives of the Applicants

☐ Unrepresented Victims

☐ Unrepresented Applicants
(Participation/Reparation)

☒ The Office of Public Counsel for Victims

☐ The Office of Public Counsel for the
Defence

☐ States' Representatives

☐ Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☒ Victims Participation and Reparations
Section

☐ Other

PRE-TRIAL CHAMBER I (the ‘Chamber’) of the International Criminal Court (the ‘Court’), following the ‘Registry submissions on the organization of legal representation of victims in the Case’ (the ‘Submissions’),¹ issues this order pursuant to articles 68(1) and (3) of the Rome Statute (the ‘Statute’), rules 89 and 90 of the Rules of Procedure and Evidence (the ‘Rules’), and regulation 81(4) of the Regulations of the Court (the ‘Regulations’).

1. On 17 December 2025, pursuant to the Chamber’s instructions,² the Registry filed Submissions informing the Chamber of a consultation process to be carried out with relevant interlocutors who are in contact with and/or who represent victims and, to the extent possible, a sample of victims directly,³ and that it intends to submit a report following the consultations process to the Chamber.⁴

2. Based on the Registry’s suggestion, the Chamber orders the Registry to submit ‘a report on the consultations conducted, the information thus collected, and its potential recommendations on the way forward’⁵ by no later than 25 February 2026. Any response to this report shall be filed by no later than 3 March 2026.

3. In the meantime, the Chamber considers it necessary and appropriate to devise a temporary and provisional arrangement, as envisaged under regulation 81(4) of the Regulations, ‘for victims to fully enjoy their rights in the crucial phase preceding the confirmation of charges hearing’.⁶

4. While mindful of the need to protect the interests of victim applicants even before the appointment of legal representatives, the Chamber finds it premature to allow ‘lawyers who could represent victims in the Case’⁷ and ‘relevant interlocutors [...] who represent victims’⁸ to make submissions before the Chamber until common legal representation in the case has been decided. Indeed, as stated above, the Registry still has to conduct consultations on the matter, including with a view to identifying such legal representatives, whose mandate will not take effect until the Chamber’s decision on victims’ applications for participation in these proceedings.

¹ Registry submissions on the organization of legal representation of victims in the Case, 17 December 2025, ICC-01/11-01/25-43.

² Transcript of hearing Initial Appearance, 3 December 2025, ICC-01/11-01/25-T-001-ENG, p. 8, lines 23-25.

³ ICC-01/11-01/25-43, para. 10.

⁴ ICC-01/11-01/25-43, para. 12.

⁵ ICC-01/11-01/25-43, para. 12.

⁶ ICC-01/11-01/25-43, para. 8.

⁷ ICC-01/11-01/25-43, para. 7.

⁸ ICC-01/11-01/25-43, para. 10.

5. Accordingly, the Chamber considers that, for the purposes of the abovementioned provisional arrangement, it is best to assign the Office of the Public Counsel for the Victims (the ‘OPCV’) to represent the collective interests of potential victims in the case until the mandate of the team of common legal representatives takes effect.

6. In accordance with rule 121(10) of the Rules, and effective as of 5 January 2026, the Chamber grants the OPCV access to the case record, including confidential filings, decisions, transcripts of hearings, and evidence disclosed. The OPCV shall not have access to documents classified *ex parte*, excluding the victims, nor to under seal or secret. Access hereby granted is limited to the OPCV and, accordingly, confidential information shall not be shared with (potential) victims without the Chamber’s prior authorisation.

FOR THESE REASONS, THE CHAMBER HEREBY

ORDERS the Registry to file the relevant report by 25 February 2026;

SETS the response deadline to 3 March 2026;

ASSIGNS the OPCV to represent potential victims of the case, pending appointment of a team of common legal representative for the purpose of the confirmation proceedings; and

GRANTS the OPCV access to the case record as per paragraph 6 of this order.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Iulia Antoanella Motoc, Presiding



**Judge Reine Adélaïde Sophie Alapini-
Gansou**



**Judge María del Socorro Flores
Liera**

Dated this Tuesday, 23 December 2025

At The Hague, The Netherlands